

STATE OF NORTH DAKOTA

IN DISTRICT COURT

COUNTY OF BURLEIGH

SOUTH CENTRAL JUDICIAL DISTRICT

STATE OF NORTH DAKOTA EX REL.
WAYNE STENEHJEM,
ATTORNEY GENERAL,

Petitioner,

-vs-

JACOB R. WOOD, Individually;
and ELITE OPTIONS, INC.,

Respondents.

Civil No. 0702506

ORDER OF APPROVAL

CPAT 070213.001

Pursuant to the authority of this Court provided in N.D.C.C. § 51-15-06.1,

IT IS HEREBY ORDERED that the attached Assurance of Voluntary Compliance
is approved as an assurance of discontinuance as specified in N.D.C.C. § 51-15-06.1.

The Clerk of Court shall receive and file this Assurance of Voluntary Compliance.

Dated this 14th day of November, 2007.

BY THE COURT:

15/ Sonna Anderson
Judge of the District Court

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and ELITE OPTIONS, INC.,

Respondents.

Civil No. 07C2506

**ASSURANCE OF
VOLUNTARY COMPLIANCE**

CPAT 070213.001 v2

To each person or entity identified below, hereinafter "Respondents":

Jacob R. Wood

414 Lakepark Trail
Oviedo, FL 32765-8274
and
1511 E. State Rd. 434
Suite 3017
Winter Springs, FL 32708
and
c/o Andrew Cove, Esq.
Cove & Associates P.A.
225 South 21st Avenue
Hollywood, FL 33020
and
dba celebsurvey.com
dba consumerresearchtrends.com
dba yoursurveyrewards.com
dba answer4less.com
dba antintermetro.net
dba cleartalk.biz
dba cleartalktelecom.com
dba myvirtualdialer.com
dba surveycruise.biz
dba surveycruise.com
dba surveycruise.info
dba surveycruise.net

dba theftguard.com
dba tollfreeresults.com
dba ussurveygroup.com
dba virtualpcdialer.com
dba voicedata.cc
dba United Public Opinion Group
dba unitedpublicopiniongroup.com
dba US Market Analysis
dba surveycruise.com
dba National Research Group
dba nationalresearchgroup.com
dba Accounts Management
dba Answering Solutions
407-695-4827
dba Elite Broadcasting
1706 Town Plaza Ct.
Winter Springs, FL 32708-6217
407-695-0426

Elite Options, Inc.

dba eliteoptions.com
1170 Tree Swallow Dr. #320
Winter Springs, FL 32708
407-695-2540
407-406-0135
and
5703 Red Bug Lake Rd. #413
Winter Springs, FL 32708
and
c/o Robert Johnson
110 W. 9th St., Rm. 934
Wilmington, DE 19801
302-661-1390
559-212-3005
231-224-2050
231-224-2054
231-224-2057
302-290-5165
302-290-6049
616-597-4093
616-980-2191
616-980-2196
616-980-2188
702-465-2953
800-441-6858
803-477-0543

and
dba Neva Telecom
c/o UPS Store
344 Maple Ave.
West Vienna, VA 22180
Attn: Kevin Wolf
407-406-0135

WHEREAS Wayne Stenehjem, Attorney General of the State of North Dakota (hereinafter "Attorney General"), acts in the public interest pursuant to North Dakota Century Code ("N.D.C.C.") chs. 51-15 (commonly referred to as the Consumer Fraud Statute) and 51-28 (commonly referred to as the Do Not Call Statute); and

WHEREAS the Attorney General has determined that in the public interest an investigation should be conducted into the activity of Respondents to ascertain whether violations of chs. 51-15 and/or 51-28 have occurred; and

WHEREAS N.D.C.C. ch. 51-15 prohibits the act, use, or employment by any person of any deceptive act or practice, fraud, false pretense, false promise, or misrepresentation, with the intent that others rely thereon in connection with the sale or advertisement of any merchandise, whether or not any person has in fact been misled, deceived, or damaged thereby and further it is a deceptive act or practice in violation of that chapter for any person to provide assistance or support to any person engaged in any act or practice in violation of that chapter when the person providing assistance or support knows or consciously avoids knowing that the other person is engaged in an act or practice in violation of that chapter; and

WHEREAS N.D.C.C. ch. 51-28 prohibits certain calls using automatic dialing-announcing devices to telephone subscribers in North Dakota; and

WHEREAS, the Attorney General has received one or more consumer complaints and/or other information indicating Respondents engaged in telephone calls contrary to North Dakota law; and

WHEREAS as a result of this investigation the Attorney General has reason to believe Respondents have violated N.D.C.C. chs. 51-15 and 51-28; and

WHEREAS the parties desire to settle the alleged violations, without an admission of liability on the part of Respondents;

NOW THEREFORE it is hereby agreed:

1. This Assurance of Voluntary Compliance shall constitute the statutory assurance of discontinuance as provided in N.D.C.C. § 51-15-06.1. Respondents acknowledge *in personam* jurisdiction in North Dakota. Nothing in this Assurance of Voluntary Compliance is intended to waive any rights or private remedies available to consumers. See also N.D.C.C. § 51-15-09. Respondents are jointly and severally liable for all amounts due, or which may become due, pursuant to this Assurance of Voluntary Compliance. Respondents swear and affirm that all information provided to the Attorney General in connection with this Assurance of Voluntary Compliance is true, complete and accurate; failure to provide true, complete and accurate information shall itself be a violation of this Assurance of Voluntary Compliance.

2. Respondent Jacob R. Wood has previously been engaged in business as:

Vue Modeling, Inc.
1170 Tree Swallow Dr. #320
Winter Springs, FL 32708

Chamber of Commerce, Inc.
581 E. SR 434
Longwood, FL 32779
and

One Commerce Center
1201 N. Orange Street, Suite 723
Wilmington, DE 19801

Orlando Reservations, Inc.
1417 N. Semoran Blvd., Ste. 204
Orlando, FL 32807

Laserjet Marketing, Inc.
655-1 West Fulton St.
Sanford, FL 32771

Park Avenue Diversified, Inc.
655-1 West Fulton St.
Sanford, FL 32771

Skypass Advertising, Inc.
1417 N. Semoran Blvd., Ste. 204
Orlando, FL 32708

Florida Brokerage and Data Sys., Inc.
1417 N. Semoran Blvd., Ste. 204
Orlando, FL 32807

none of which are active businesses or do business in North Dakota.

Further, Respondents have previously engaged the following to provide
telemarketing assistance or support to their business operations:

CTC Marketing
Attn: Pat Madriz
Madriz Elecom & Cia, Ltd.
Entrada a café soluble 1 Cal Lago ½ Arriba
Managua, Nicaragua
954-554-5099
madriz@bellsouth.net
and
CTC Marketing, Inc.
c/o The Corporation Trust Company
Corporation Trust Center
1209 Orange St.
Wilmington, DE 19801
302-658-7581

3. Respondents, their directors, officers, principals, employees, agents, contractors, servants and all other persons in active concert or participation with them, including but not limited to Kevin Wolf, whether directly or indirectly, voluntarily agree to be and are permanently enjoined from engaging in the sale of merchandise in North Dakota, or engaging in any other commercial business activities in North Dakota.

4. Respondents agree they will comply with this Assurance of Voluntary Compliance and further acknowledge and agree any violations of this Assurance of Voluntary Compliance shall be punishable as contempt of court pursuant to N.D.C.C. ch. 27-10. Further, Respondents may be subject to all other civil penalties and sanctions provided by law, including attorney fees and costs with respect to past violations of North Dakota law in addition to with respect to any new violations. Respondents agree to pay a civil penalty of at least \$1,000 per violation for any violations of this Assurance of Voluntary Compliance, or any future violations of N.D.C.C. chs. 51-15 and/or 51-28; provided, however, the Attorney General shall not be precluded from seeking more than \$1,000 per violation, or any other remedies provided in N.D.C.C. ch. 51-15 or other North Dakota law. Respondents agree that in the event violation of this Assurance of Voluntary Compliance, the Attorney General may pursue all claims and complaints – past, present and future – against Respondents as well as retain any payments already made.

If Respondents are adjudged in contempt of court for violations of this Assurance of Voluntary Compliance, adjudged in violation of this Assurance of Voluntary Compliance or adjudged in violation of N.D.C.C. chs. 51-15 and/or 51-28, Respondents

shall also be responsible for payment to the Attorney General for reasonable investigation costs, expenses and attorney fees.

5. Upon execution of this agreement, Respondents shall make a payment to the Attorney General in the sum of \$2,000 dollars in lieu of civil penalties, investigation costs and attorney fees. Payment shall be the form of a check or money order payable to **Office of Attorney General – North Dakota**, and delivered to:

Consumer Protection
& Antitrust Division
Office of Attorney General
4205 State Street
Bismarck, ND 58503-0623
Attn: JPThomas

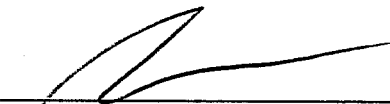
6. Respondents, upon execution of this agreement, will surrender to the Attorney General the originals (and all copies, compilations, summaries or the like) of all North Dakota leads they have generated, and which are in their possession, custody and control, and further agree they will not sell or use any North Dakota lead information.

7. In the event of a breach of this Assurance of Voluntary Compliance, the Attorney General may, without further notice to Respondents, make application to a State of North Dakota District Court to have all amounts still owing under the Assurance of Voluntary Compliance entered as a formal judgment so it may be filed on the judgment roll and docketed pursuant to North Dakota law. See N.D.C.C. §§ 28-20-11, -12 and -13. Respondents agree that an Affidavit of Non-Compliance of the Office of Attorney General shall be *prima facie* evidence of each violation of this Assurance of Voluntary Compliance.

8. Respondents represent each signer below is competent and fully authorized to act, whether individually or in a representative capacity. Respondents acknowledge they have been provided the opportunity to review this Assurance of Voluntary Compliance with an attorney, understand the implications and obligations imposed by it and have freely and knowingly entered into this Assurance of Voluntary Compliance rather than contest the allegations on the merits. Respondents further acknowledge and agree this Assurance of Voluntary Compliance may be approved by and filed with the State of North Dakota District Court without any further notice or hearing. Signatures transmitted electronically or via facsimile by Respondents shall be deemed the equivalent of original signatures; this document may be executed in counterparts, with each counterpart deemed an original.

JACOB R. WOOD

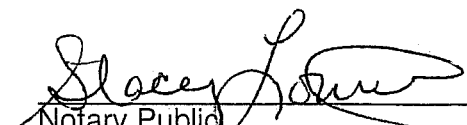
(including all "doing business as" names, aliases or fictitious names of any kind or variations of the same)



Individually

STATE OF Florida }
COUNTY OF Seminole } ss

Subscribed and sworn to before me this
8 day of November, 2007.



Notary Public



ELITE OPTIONS, INC.

(including all "doing business as" names, formal corporate names, fictitious names of any kind or any variations of the same)

By: _____

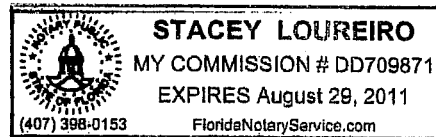
Jaey W. D.
(print name)

President
(Title)

STATE OF Florida)
COUNTY OF Seminole) ss

Subscribed and sworn to before me this
8 day of December, 2007.

Stacey Loureiro
Notary Public



This Assurance of Voluntary Compliance is hereby received and accepted.

Dated this 9th day of November, 2007.

STATE OF NORTH DAKOTA

Wayne Stenehjem

Attorney General

By: 

James Patrick Thomas

ID No. 06014

Assistant Attorney General

Consumer Protection and

Antitrust Division

Office of Attorney General

4205 State Street

PO Box 1054

Bismarck, ND 58502-1054

(701) 328-5570

Attorneys for Petitioner